

NATURAL RESOURCES COMMISSION

Meeting Minutes

December 5, 2007

Pursuant to the notice filed with the Town Clerk, the meeting of the Natural Resources Commission was held at 141 Keyes Road, Concord, MA at 7:00 p.m. on Wednesday, December 5, 2007. The following Commissioners were present: Alexander Easterday, Chair, Montgomery Lovejoy, Jamie Bemis, and George Lewis. Delia Kaye, Natural Resources Administrator; and Cynthia L. Gray, Natural Resources Administrative Assistant was also present.

CLOSE HEARINGS / ISSUE PERMITS:

ABC CESSPOOL CO., INC–OOC– 324 Nashoba Road, DEP File #137-954

George Lewis moved to close the hearing. Jamie Bemis seconded. All so voted. George Lewis moved to approve Findings A and B. Jamie Bemis seconded. All so voted. George Lewis moved to issue a standard Order of Conditions with Special Conditions 19-43. Jamie Bemis seconded. All so voted.

DESIGN & BUILD ASSOCIATES (Bedrosian) – OOC - 381 Thoreau Street, DEP File #137-957

Matthew Hamor of Polaris Engineering Corporation attended the hearing in case there were any questions from the Commissioners as to the changes made on the plan. There being none, George Lewis moved to close the hearing. Jamie Bemis seconded. All so voted. Montgomery Lovejoy moved to approve Finding A. Jamie Bemis seconded. All so voted. Montgomery Lovejoy moved to issue a standard Order of Conditions with Special Conditions 19-43. George Lewis seconded. All so voted.

BENTLEY BUILDING CORP. (White) – OOC - 14A Strawberry Hill Road, DEP File #137-940

Applicant, Mark White, attended the hearing. Montgomery Lovejoy moved to close the hearing. Jamie Bemis seconded. All so voted. Montgomery Lovejoy moved to approve Findings A and B. George Lewis seconded. All so voted. Montgomery Lovejoy moved to issue a standard Order of Conditions with Special Conditions 19-45.

Mark White requested that Natural Resources Commission staff forward a Natural Resources Commission recommendation letter to the Concord Zoning Board of Appeals as the Applicant is on the Zoning Board of Appeals agenda for December 13, 2007. Delia Kaye confirmed that she would forward the recommendation letter as requested.

CERTIFICATES OF COMPLIANCE:

TAYLOR – 62 Elm Street, DEP File #137-946

Jamie Bemis moved to issue a Certificate of Compliance. Montgomery Lovejoy seconded. All so voted.

KRIMS – 51 Coolidge Road, DEP File #137-896

Jamie Bemis moved to issue a Certificate of Compliance. Montgomery Lovejoy seconded. All so voted.

NEWCOMBE – 75 Philip Farm Road, DEP File #137-805

Jamie Bemis moved to issue a Certificate of Compliance. Montgomery Lovejoy seconded. All so voted.

OTHER BUSINESS:

2008 Winter NRC Meeting Schedule

The meeting schedule was circulated to the Commissioners to verify attendance for the upcoming meeting dates from January to April, inclusive. Steve Verrill was not present at this evening's meeting.

335 Walden Street

Delia Kaye provided the Commission members with a copy of an e-mail she received from Peter Farrow dated December 5, 2007. The e-mail contained two sketches – one with 5 proposed affordable housing units and the other with 6 proposed affordable housing units. Parking areas are realigned to be more towards the center and back of the buildings rather than completely in front. The Commission agreed that this project could only be accomplished by building 5 units maximum on the site. Delia Kaye recommended consideration of garages instead of some or all of the parking spaces. More blending was suggested. Delia Kaye noted her concern whether the north ("A" series") flagging is regulated as a resource area or not. This line was flagged in 2004 but never approved by the Commission. Montgomery Lovejoy noted that it is important to properly characterize the wetland line. Delia Kaye noted that a formal Notice of Intent would need to be filed by the Concord Housing Trust and that filing is expected sometime in mid-January 2008. Jamie Bemis noted her concern with setting precedent with work proposed so close to wetlands. Montgomery Lovejoy questioned if the weather would be a problem in determining the resource areas. Delia Kaye stated that staff usually does not review resource area delineations between December 1 and March 15th due to frozen ground conditions and snow, but will review if conditions allow. Delia Kaye noted that she would forward a reply e-mail to Peter Farrow and send a carbon copy to the Commission members.

Robb CR – Municipal Certification form

This Conservation Restriction consists of 46.5+/- acres of land. Alexander Easterday presented this Conservation Restriction to the Board of Selectmen on Monday evening. Gordon Bell was also in attendance. The Board of Selectmen approved the Conservation Restriction. Commission members signed the Municipal Certification form at this meeting.

Alcott School – Request for Certificate of Compliance

A Request for a Certificate of Compliance has been received by staff. The record plans do not contain as-built plans. The temporary access appears to have been appropriately

restored using loam, not roadfill, which was a concern raised by Jim Catterton. This was determined by Bill Kenney augering into the soils along the access road to a depth of 12 inches at one location in the temporary access, and one location adjacent to the access. Delia Kaye. Montgomery Lovejoy asked if this area would be farmed and if it could be harrowed. Delia Kaye said that farming could be considered an appropriate use, as long as no fertilizers or pesticides were used within the area contributing to the water supply well. The Hugh Cargill Farm Task Force will be meeting on December 19th to determine appropriate uses, including a potential baseball field. Alexander Easterday asked if Concord Academy and their new acquisition of the Arena Farms land had been considered as a possible site.

The Commission members noted their non-support of a ball field, and would suggest this area be retained as either as meadow, agriculture, or community gardens.

Wetland Bylaw Presentation to League of Women Voters

Elizabeth Sluder attended this evening's hearing and requested that the Commission and staff make their Wetland Bylaw Presentation to the League of Women Voters during their upcoming meeting scheduled for February 6, 2008 at 9:30 a.m. at 141 Keyes Road, 1st Floor Meeting Room. The Commission members and staff concurred.

Approve October 29, 2007 Meeting Minutes

Montgomery Lovejoy moved to approve the October 29, 2007 Meeting Minutes as written. Jamie Bemis seconded. All so voted.

This meeting adjourned at 8:15 p.m.

Respectfully submitted,

Delia R. J. Kaye, Natural Resources Administrator

Cynthia L. Gray, Natural Resources Administrative Assistant